

SECOND REGULAR SESSION

# HOUSE BILL NO. 2044

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FRAKER (Sponsor), FITZWATER, REDMON, SCHIEBER,  
HOUGHTON, MESSENGER, ANDERSON, REHDER, HAMPTON, WALKER, DUGGER, CRAWFORD,  
ENTLICHER, JUSTUS, REIBOLDT AND MCCAHERTY (Co-sponsors).

6050H.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 32.300 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to fee offices.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 32.300 and 136.055, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 32.300 and 136.055, to read as follows:

32.300. 1. In a county where personal property tax records are accessible via computer,  
2 and when proof of motor vehicle liability insurance, safety inspections and emission inspections  
3 where required are verifiable by computer, the department of revenue shall design and implement  
4 a motor vehicle license renewal system which may be used through the department's internet  
5 website connection. The online license renewal system shall be available no later than January  
6 1, 2002. The department of revenue shall also design and implement an online system allowing  
7 the filing and payment of Missouri state taxes through the department's internet website  
8 connection. The online tax filing and payment system shall be available for the payment of  
9 Missouri state taxes for tax years beginning on or after January 1, 2002.

10 **2. All fees and processing work associated with the motor vehicle online license**  
11 **renewal system established under subsection 1 of this section shall be assigned to fee offices**  
12 **as provided in subsection 8 of section 136.055.**

136.055. 1. Any person who is selected or appointed by the state director of revenue as  
2 provided in subsection 2 of this section to act as an agent of the department of revenue, whose  
3 duties shall be the processing of motor vehicle title and registration transactions and the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 collection of sales and use taxes when required under sections 144.070 and 144.440, and who  
5 receives no salary from the department of revenue, shall be authorized to collect from the party  
6 requiring such services additional fees as compensation in full and for all services rendered on  
7 the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred--three  
9 dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant  
10 to section 301.147;

11 (2) For each application or transfer of title--two dollars and fifty cents;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's  
13 license issued for a period of three years or less--two dollars and fifty cents and five dollars for  
14 licenses or instruction permits issued or renewed for a period exceeding three years;

15 (4) For each notice of lien processed--two dollars and fifty cents;

16 (5) No notary fee or other fee or additional charge shall be paid or collected except for  
17 electronic telephone transmission reception--two dollars.

18 2. The director of revenue shall award fee office contracts under this section through a  
19 competitive bidding process. The competitive bidding process shall give priority to  
20 organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of  
21 the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not  
22 limited to, municipalities, counties, and fire protection districts. The director of the department  
23 of revenue may promulgate rules and regulations necessary to carry out the provisions of this  
24 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
25 created under the authority delegated in this subsection shall become effective only if it complies  
26 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
27 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
28 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
29 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
30 any rule proposed or adopted after August 28, 2009, shall be invalid and void.

31 3. All fees collected by a tax-exempt organization may be retained and used by the  
32 organization.

33 4. All fees charged shall not exceed those in this section. The fees imposed by this  
34 section shall be collected by all permanent offices and all full-time or temporary offices  
35 maintained by the department of revenue.

36 5. Any person acting as agent of the department of revenue for the sale and issuance of  
37 registrations, licenses, and other documents related to motor vehicles shall have an insurable  
38 interest in all license plates, licenses, tabs, forms and other documents held on behalf of the  
39 department.

40           6. The fees authorized by this section shall not be collected by motor vehicle dealers  
41 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers  
42 authorized to collect and remit sales tax under subsection 8 of section 144.070.

43           7. Notwithstanding any other provision of law to the contrary, the state auditor may audit  
44 all records maintained and established by the fee office in the same manner as the auditor may  
45 audit any agency of the state, and the department shall ensure that this audit requirement is a  
46 necessary condition for the award of all fee office contracts. No confidential records shall be  
47 divulged in such a way to reveal personally identifiable information.

48           **8. Notwithstanding any other provision of law to the contrary, beginning January**  
49 **1, 2015, all fees and processing work as provided by subsection 1 of this section associated**  
50 **with the motor vehicle online license renewal system established under section 32.300 shall**  
51 **be directed to the fee office located in the county of the person making an application for**  
52 **renewal. In the event that more than one fee office is located in such county, fee offices**  
53 **may bid as part of the competitive bidding process of subsection 2 of this section for such**  
54 **fees and work within that county.**

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